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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,128	06/23/2000	ARIJIT MUKHERJI	062891.0397	1473

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BARTON E SHOWALTER  
BAKER BOTTS LLP  
2001 ROSS AVENUE  
DALLAS, TX 75201-2980

EXAMINER

HAN, QI

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 07/03/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/603,128

Applicant(s)

MUKHERJI ET AL.

Examiner

Qi Han

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

## DETAILED ACTION

### *Information Disclosure Statement*

1. The references listed in the Information Disclosure Statement submitted on 06/23/2000 have been considered by the examiner (see attached PTO-1449).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett (US 2002/0001302 A1), in view of well known prior art (MPEP 2144.03).

Regarding **claim 1**, Pickett discloses systems and methods for multiple mode voice and data communications using intelligently bridged TDM and packet buses and methods for performing telephony and data functions using the same. Pickett further discloses that VoIP communications attempts to provide reasonable voice communications over data/packet networks by allowing voice and signaling information to be transported over the data/packet network, and an IP network typically is used to transport the calls, which generally may be over an intranet or over the Internet (paragraph [0367]) that inherently provides packet based communication session for voice and text data, which corresponds to the claimed

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“communicating voice and text associated with a packet based voice communications session”.

Furthermore, Pickett discloses that:

- a. computer 24 (Fig.3) having microphone (inherently used for receiving voice information) is coupled to communications system 50 over packet bus 80A through an appropriate packet through standard protocol H.323 (see, Fig. 3) (paragraph [0194]), which corresponds to the claimed “receiving voice information from a local participant in a packet-based voice communications session;”
- b. data streams may be desirably coupled to a resource such as DSP 76 in order to have processes such as speech/voice recognition, text to speech conversion, speech to text conversion, compression, translation (paragraph [0297]), which corresponds to the claimed “converting the voice information into text;”
- c. the analog voice is converted to a Pulse Code Modulation (PCM) digital stream and coded in the Mu-Law standard format or the A-Law standard format (paragraph [0373]), and speech encoder algorithms may more optimally implement rules concerning packet delivery and disposition management (paragraph [0380]), which corresponds to the claimed “generating packets encoding the voice information and the text;” and
- d. processor/system resources 70 processes the data stream that may preferably is in a suitable form/protocol (such as TCP/IP ) for transmission to a remote computer (see, Fig. 3) (paragraph [0194]), which corresponds to the claimed “communicating the packets encoding the voice information and the text to a remote location.”

In addition, Pickett discloses that the system provides Voice over IP technique (paragraph [0361]), uses H.323 standard (paragraph [0368]), and uses H.323 terminals that can either be a

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PC or a standalone device and provides audio communications while optionally supporting video or data communications (paragraph [0361]), which is further inherently capable of implementing the functionality of the claimed limitation in the elements a, c and d (see above). But, regarding element c of the claimed limitation, the difference between Pickett and applicant is that Pickett uses a locally centralized DSP system for speech-to-text converting, while applicant uses a local terminal device. However, the examiner takes official notice of the fact that it was well known to provide a local terminal device, such a PC, for speech-to-text converting.

Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Pickett by specifically providing a local terminal device, such a PC, for speech-to-text converting, for the purpose of simplifying system complexity.

Regarding **claim 2**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 1). As stated above, Pickett discloses that VoIP communications attempts to provide reasonable voice communications over data/packet networks by allowing voice and signaling information to be transported over the data/packet network, and an IP network typically is used to transport the calls, which generally may be over an intranet or over the Internet (paragraph [0367]), which corresponds to the claimed “the packet-based voice communications session comprises an Internet protocol (IP) telephony communications session.”

Regarding **claim 3**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 1). As stated above (see claim 1, elements b and c), Pickett discloses speech to text conversion (paragraph [0297]), and digital stream coding (paragraph [0373]) and packetizing (paragraph [0380]), which corresponds to the claimed “wherein generating the packets encoding the voice information and the text comprises: generating a first stream of

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packets encoding the text; and generating a second stream of packets encoding the voice information.”

Regarding **claims 4 and 5**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 3). Pickett further suggests that VoIP technique uses IP address and DUP or TCP packet (herein equivalent to protocol) (paragraphs [0374] and [0388]), which corresponds to the claimed “wherein communicating comprises communicating the first stream of packets using a first Internet protocol (IP) transmission protocol and communicating the second stream of packets using a second IP transmission protocol” (claim 4) and “the first transmission protocol comprises transmission control protocol (TCP); and the second transmission protocol comprises user datagram protocol (UDP)” (claim 5).

Regarding **claim 6**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 1). Pickett discloses that computer terminal (also H.323 terminal) 24 (Fig. 24) (paragraph [0194]), processor/system resources 70 (paragraph [0072] and communication system 50 (paragraph [0155]) can have display device, so that system is capable of implementing the functionality as the claimed “displaying the text using a visual output device.”

Regarding **claim 7**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 1). Pickett further discloses that computer 24 (Fig. 13C) includes camera 24A, and preferably a microphone and speaker; the packetized video information is provided from computer 24 (Fig. 3) to communications system 50 over packet bus 80A and processor/system resources 70 processes the packetized data stream (inherently including voice or text or video) in a suitable form/protocol (such as TCP/IP ) for transmission to a remote

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computer (paragraph [0194]), so that system is capable of implementing the functionality as the claimed “receiving packets encoding remote voice information and remote text from the remote location; outputting the remote voice information using an acoustic output device; and displaying the remote text using a visual output device.”

Regarding **claim 8**, it discloses an interface for a telecommunication device, which corresponds to the combined method claims 1 and 7. The interface is obvious in that it simply provides implementation and structure for the functionality found in claims 1 and 7.

Regarding **claims 9-13**, they depend on claim 8 and disclose an interface for a telecommunication device, which corresponds to the method claims 2-6 and 1, respectively. The rejection are, in addition, based on the same reason of the rejection for the limitation of claims 2-6 and 1, respectively, because the interface is obvious in that it simply provides implementation and structure for the functionality found in claims 2-6 and 1 respectively.

Regarding **claim 14**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 8). Pickett further discloses using H.323 terminals that can be a PC and provides audio communications while optionally supporting video or data communications (paragraph [0370]), wherein PC inherently includes the embodied software or program, such as windows operating system and GUI tools, which is corresponds to the claimed “the interface comprises a computer program embodied in a computer readable medium.”

Regarding **claim 15**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 8). Pickett discloses that data streams may be desirably coupled to a resource such as DSP 76 in order to have processes such as speech to text conversion (paragraph [0297]), which corresponds to the claimed “operable to output the voice information using

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speech synthesis to convert the text into an audio output”. But, Pickett uses a locally centralized DSP system for text-to-speech converting, while applicant uses a local terminal device.

However, the examiner takes official notice of the fact that it was well known to provide a local terminal device, such as PC, for text-to-speech converting.

Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Pickett by specifically providing provide a local terminal device, such as PC, for text-to-speech converting, for the purpose of simplifying system complexity.

Regarding **claim 16**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 8). But, Pickett fails to specifically disclose “operable to translate the text from a first language to a second language”. However, the examiner takes official notice of the fact that it was well known to provide an operation to translate the text from a first language to a second language.

Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Pickett by specifically providing an operation to translate the text from a first language to a second language, for the purpose of offering more wide marketable feature for the product.

Regarding **claims 17-23**, they disclose telephony communication software embodied in a computer readable medium for a telecommunication device, which corresponds to the method claims 1-7, respectively; the software embodied in a computer readable medium is obvious in that it simply provides implementation for the functionality found in claims 1-7, respectively.



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Regarding **claim 24**, it discloses a telecommunication system, which corresponds to the combined method claims 1 and 7. The system is obvious in that it simply provides structure for the functionality found in claims 1 and 7.

Regarding **claims 25-27**, they depend on claim 24 and disclose a telecommunication system, which corresponds to the method claims 3-5, respectively. The rejection are, in addition, based on the same reason of the rejection for the limitation of claims 3-5, respectively, because the system is obvious in that it simply provides structure for the functionality found in claims 2-5, respectively.

Regarding **claims 28-29**, they depend on claim 24 and disclose a telecommunication system. The rejection are, in addition, based on the same reason of the rejection for the limitation of claims 16 and 15 respectively, because claims 28 and 29 recite the same or similar limitation(s) as claims 16 and 15, respectively.

Regarding **claim 30**, Pickett and well-known prior art disclose everything claimed, as applied above (see claim 24). Pickett further discloses that VoIP communications provides voice communications over data/packet networks and an IP network typically is used to transport the calls over an intranet or over the Internet (paragraph [0367]), which is equivalent to the claimed "the communications session comprises a voice over packet (VoP) telephone call".

Regarding **claims 31-37**, they disclose an apparatus (device), which corresponds to the method claims 1-7, respectively; the apparatus is obvious in that it simply provides structure for the functionality found in claims 1-7, respectively.

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*Conclusion*

3. Any response to this office action should be mailed to:  
Commissioner of Patents and Trademarks, Washington D.C. 20231  
or faxed to:  
(703)-872-9314  
Hand-delivered responses should be brought to:  
Crystal Park II, 2121 Crystal Drive, Arlington. VA. Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (703) 305-5631. The examiner can normally be reached on Monday through Thursday from 8:00 a.m. to 5:30 p.m. and Friday from 8:00 a.m. to 12:00 a.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached on (703) 305-4379.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

QH/qh  
June 20, 2003

*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600